

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1846 of 2023

Arising Out of PS. Case No.-1238 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

-
1. Suresh Prasad Singh Son Of Late Deonandan Prasad Singh Ward No.- 6 Chamtha Barkhut, P.S.- Bachhwara Nagar, District - Begusarai
 2. Nirmala Devi Wife Of Suresh Prasad Singh R/O Ward No.- 6 Chamtha Barkhut, P.S.- Bachhwara Nagar, District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subodh Kumar Singh Son of Late Jaidev Narayan Singh Resident of Village - Champtha Barkhut, P.O.- Bachwara, District - Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Though Vakalatnama has been filed on behalf of the complainant-opposite party no. 2 but nobody appears on his behalf.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 406, 34 of the Indian Penal.

The petitioners in association of other co-accused is said to have misappropriated the huge amount of government money by committing breach of trust.

Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioner no.1 is the Principal and petitioner no.2 is the land donor of Ugan Triveni College, Chamtha, Begusarai. There has never been misappropriation of fund and audit of the college has been done and utilization certificate has been submitted to the government. Learned counsel for the petitioners submits that no specific overt act has been attributed against these petitioners. He further submits that no case is made out under Section 406 of IPC. This false and fabricated case has been lodged by the complainant as he was not selected as Chairman of the Committee. There is no legal iota of evidence showing the amount misappropriated by these petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court
in connection with Complaint Case No. 1238 of 2021, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

